

Juries - 1932

ATTORNEY WILL TAKE FIGHT ON JURY BOX TO SUPREME COURT

but by a motion to quash the indictment made at the trial. They will make the motion on these grounds.

SEEKS TO HAVE NEGROES REPRESENTED ON JURIES

12-17-32
W. A. Denson, attorney, declared Monday he will carry his fight to quash the Jefferson County jury box to the Alabama Supreme Court, following a ruling by Special Judge R. B. Carr denying the attorney's motion to quash the jury venire summoned in Circuit Court this week.

The motion was the second filed by Denson in an attempt to quash the jury box on grounds it was illegal because it does not contain the names of Negroes.

Denson had 32 officials and employees of three Birmingham news papers summoned as witnesses Monday on the claim the press of Birmingham had conspired with members of the jury board and others to exclude the names of Negroes from the box. In arguing his motion in open court Denson charged there had been a conspiracy to control contents of the jury box and prevent selection of fair and impartial juries.

The motion was filed in connection with the suit of Adeline Carlton vs. the Southern Railway for damages in connection with the death of a minor son.

Judge Carr overruled the motion on the grounds the question was not properly raised, and declined to hear testimony in the case. He also continued the suit against the railway company.

Negroes Barred from Georgia Juries

ATLANTA, Ga.—"Negroes have been systematically excluded from the grand and petit juries for years," was the information wrested from the Rev. John Hudson, white, assistant solicitor and prosecutor, by two colored lawyers.

The lawyers, John R. Geer and Benjamin J. Davis, Jr., I.L.D. attorneys, are representing Angelo Herndon, 19-year-old organizer to be tried for "inciting insurrection," an old slave law carrying the death penalty. The court held the indictment could not be quashed by habeas corpus, which they sought.

Jurics - 1932

QUEEN ANNES COUNTY HAS NO NEGRO JURORS

Afro-American
Discovery that the names of Negroes have never been included in the jury panel of the circuit court in Queen Annes County, was made by the AFRO this week.

B. Hackett Turner, white clerk of the court, advised that: "Our jury for the November term has not been drawn, but the names of Negroes have not been included in the jury panel heretofore."

A recent ruling of the Maryland Court of Appeals granted Euel Lee, 60-year-old farm hand, convicted of the murder of an Eastern Shore farmer, a new trial on the ground that Negroes had been unlawfully excluded from the jury which heard the case.

AFRO Investigates
The precedent established by this ruling, prompted an investigation of Maryland counties to determine to what extent the various circuit courts have practiced discrimination in the selection of their jury panels. Inquiry revealed that in practically all counties Negroes have been included, one county Charles revealing that Negroes had served as early as 1883.

Clayton K. Watkins, who for 17 years has been clerk of the Montgomery County circuit court, reports that there has been at least one Negro in the box of each jury drawn since he has been in office. "Negroes have been included in our jury panels in Prince Georges County for the last 25 years," declares Brice Bowie, clerk at Upper Marlboro.

DR. THOMAS AND D. T. GWYNN O' SEPT. PANEL

Selection Breaks 26-Year Precedent in Baltimore County.

VOTERS' MEETING CALLED THURS. *Afro-American*
Local Leaders to Take

Interest in New Trial.

TOWSON, Md.—First fruits of the victory won by the I.L.D. in obtaining an appeal court's decision in which the practice of barring Negroes from the juries of Baltimore County was deplored, were apparent this week when two were named on the grand jury panel for the September term.

Breaking a precedent that had been in vogue during the 26-year tenure of Judge Frank I. Duncan, Dr. Joseph Thomas and David T. Gwynn were selected this week.

The action is an outgrowth of the Euel Lee case in which the barring of colored jurymen was made the paramount issue in the new trial of appeal.

During the course of the trial David Levinson, volunteer attorney representing the International Labor Defense, forced Judge Duncan to take the witness stand and testify concerning his method of selecting the jury. Judge Duncan stated that he neither selected nor excluded colored people, but that he just did not consider them at all.

In Lee, who was nearly lynched by an Eastern Shore mob, was convicted of murder in the first degree last November and sentenced to hang. He was accused of slaying Green K. Davis, white, of Taylorsville, Md., and his family of three.

Calls Meeting
Gough D. McDaniels, organizer of the Baltimore Public Forum, a body that has taken a keen interest in public matters affecting the racial group, has called a special meeting of civic leaders for this Thursday night, August 25.

The meeting will be held in the club room of the AFRO-AMERICAN Building, and will be given over to an informal discussion to devise ways and means to see that the advantage won by the decision is preserved.

Mr. McDaniels considers the victory of the I.L.D. legal representatives too important to the Negro group as a whole to be ignored and suggests that local leaders take a keener interest in the case than previously shown.

The new trial for Lee has been set for September 26, at Towson.

Two Negroes Serve For First Time On Baltimore Jury

Pittsburgh Courier
BALTIMORE, Sept. 1.—(C. Davis, and his family, protested N. S.)—For the first time in the history of the Baltimore County jury, two Negroes have been selected to serve on the grand jury. They are Lee and David T. Gwynn and Dr. Jo-

seph Thomas. They will serve during the next session of the circuit court which will be held in Towson in September.

In an attempt to conform to the ruling of the Court of Appeals in the Euel Lee case which held illegal the method of choosing juries from lists of veniremen from which Negroes were excluded, the names of Negroes were included in the boxes from which the jurymen were selected.

NEGROES SERVE FIRST TIME ON BALTIMORE JURY

9-2-32

BALTIMORE, Md. (CNS)—For the first time in the history of the Baltimore county court, two Negroes have been selected to serve on the grand jury. They are David T. Gwynn and Dr. Joseph H. Thomas. They will serve during the next session of the circuit court which will be held in Towson in September.

In an attempt to conform to the ruling of the Court of Appeals in the Euel Lee case which held illegal the method of choosing juries from lists of veniremen from which Negroes were excluded, the names of Negroes were included in the boxes from which the jurymen were selected.

The actual selections were made by drawing the names blindly from boxes. Judge Frank I. Duncan selected the names to be placed in the boxes—100 in the case of the grand jury, from which 23 were selected, and 200 in the case of the petit panel from which 25 were chosen—and an employee in the office of the Clerk of the Court picked out these to serve.

Such a method of selection has been in use in Baltimore county for years, but for at least twenty-six years, the names of Negroes have not been placed in the box. At the time of the trial of Euel Lee, Judge Duncan admitted that he had not intended to use this method to exclude Negroes from jury service but that he "just hadn't considered them at all."

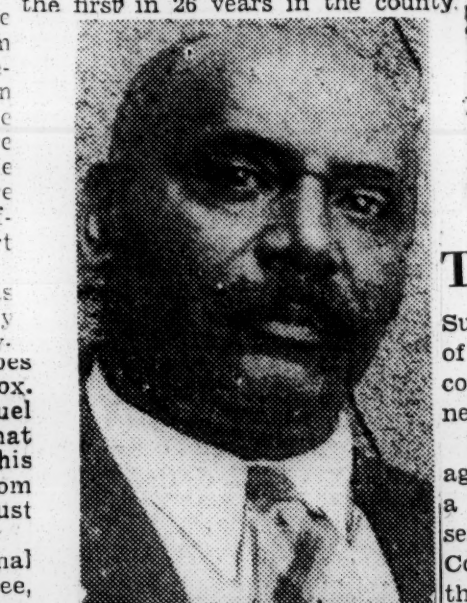
Attorneys for the International Labor Defense, who defended Lee, who was found guilty of the murder of a white farmer, Green K. Davis, and his family, protested in the decision of the jury on the ground that Negroes had not been considered for service thereon. The Court of Appeals granted Lee a new trial, holding that the method of selecting juries in Bal-

timore county for the last twenty-six years "seems to show an established practice, confining selection to white men as effectually as if such a restriction were prescribed by statute."

Lee's second trial at Towson is expected to be heard shortly after the September term opens, September 19.



DR. JOSEPH B. THOMAS, Sparrows Point, Md., who will be one of the colored members on the September jury panel for Baltimore County. This service will mark the first in 26 years in the county.



Afro-American
ON JURY PANEL — David Gwynn, Towson, Md., one of the colored members who will serve Baltimore County this fall.

Negroes Named To Serve On Maryland Jury Panels

Afro-American
BALTIMORE, MD. (CNS.)—As the result of the recent decision of the Court of Appeals of this State in granting a new trial to Euel Lee (Orphan Jones), six Negroes were selected as petit jurors here this week. The decision of the Court of Appeals based on the ground that Negroes had been unconstitutionally excluded from the jury before, when he was tried has revolutionized the drawing of jurors here.

Saturday, October 15, six Negroes were selected as petit jurors when Judge Eugene O'Dunne picked seven jury panels of twenty-five men each to serve during a three-week term, beginning October 24.

Although sixteen Negroes were among the 400 persons summoned to appear before the jury judge, the others were not required to serve, as a sufficient number of jurors were declared eligible before their names were reached.

Of the Negroes selected five have been assigned to serve in the Superior, three under Judge Joseph N. Ulman and two under Judge Walter I. Dawkins. The other has been assigned to serve in the City Court under Judge George A. Solter.

This drawing of jurors was the third for the fall term of court.

NEW YORK WORLD Telegram OCT 17 1932 WOMEN FOR JURIES.

THE National Woman's party pointedly expressed the hope that the United States Supreme Court, soon to be housed on the site of the old party headquarters, will acquire new concepts of the legal rights of women with a new abode.

When one recalls that only a few months ago the Court refused even to hear the plea of a Massachusetts woman that exclusion of her sex from the jury lists had denied her the Constitutional guarantee of equal protection, the law, it is easy to sympathize with the Woman's party point of view.

The Court's refusal was made in the face of a previous decision that for any State to debar Negroes from jury service was an infringement of the Constitution.

In factories and stores, in business and professions, in the colleges, at the polls, in most

of the important contacts of life women have been recognized as citizens with an equal right to prove their abilities and participate in the life of the nation. The laws lag behind public sentiment as they always do, and further back still lags the Supreme Court.

Kas. Negro Protective League To Investigate Jury Discrimination

Kansas City and Topeka Plaindealer
9-9-32 Kansas City

Leading Citizens of Frankfort Resent Excuse Of Whites

(Plaindealer News Service)
 Frankfort, Kansas, Sept. 9.—Considerable interest is being manifested by Negro Citizens of Marshall county in which Frankfort, Marysville, Vermillion, Blue Rapids, Watervills, Ax-tell and several other towns are located in a movement recently initiated to inquire into why no Negroes have been called for jury duty during the past 30 or more years.

Leading citizens of Frankfort discussed the matter recently and have pledged themselves to look into the matter intending to see the affair rectified. According to those in close touch with the matter, the excuse or the part of those responsible for such a policy in the county will say, "There are no accommodations at Marysville, the county seat, for Negroes and we do not wish to subject Negro citizens to embarrassments in seeking comfortable living quarters, as they doubtless would be required to remain in Marysville several days in some instances, and that would be so at a big expense to the taxpayer of Marshall county."

Negro citizens have intimated that they will resent any such "excuse" at future terms of court. and expressed themselves as determined to carry forward the fight to a successful conclusion. The matter has already attracted much attention throughout the county and the plan is to refer the case to the Kansas Negro Protective League and ask that strong organization to lead the fight in the movement and see that Negro citizens are given the opportunity to exercise that right supposedly guaranteed by the constitution of Kansas and the United States. A county wide organization is to be formed and a meeting will be called at which are to be representatives from all sections of the county. The president of the Kansas Negro Protective League, Bishop J. A. Ham Lett, or an official representative of that organization is to meet with the citizens of Marshall county when the meeting is called. The National Association for the Advancement of Colored People is also being spoken of as willing to help in the fighting this discrimination against Negroes for jury service in the county.

Negroes Will Be On Jury When Euel Lee Is Tried

10-21-32
 TOVSON, Ma.—Euel Lee, who was convicted sometime ago on a charge of having murdered a white farmer and his family, will have a new trial, September 21. The man will be represented by Bernard Ades, of the International Labor Defense, an allegedly Communist organization. Negroes will be on the jury panel for the first time in the history of the State. Lee was threatened with lynching at the time he was arrested.

PARKERSBURG, W. VA.

SENTINEL

SEP 1 1932

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Ohio county Neg.

petitions asking that per-
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 the state law but for some u
 the man is drawn on a jury
 drawn in Wood county.

It is plain that the Negro should not be discriminated against for jury service. We feel, however, that a colored man involved in the meshes of the law would receive equal consideration at the hands of a white jury as he would at the hands of a jury on which there were members of his own race. We have confidence in the integrity of our juries.

On the other hand it is only proper that a proportionate number of colored persons should be selected in every jury drawing. It would have the effect of assuring the colored man that the law recognizes that he has equal rights in the courts with men of other races.

Service on the jury, however, is seldom sought by persons of any race. The duties are hard and the compensation is small. Too many persons deliberately evade jury service.

The Negro may not be so anxious to get jury service, once his eligibility is completely recognized.

NEGROES ON THE JURY AGAIN

In arguing the Scottsboro case before the United States Supreme court a few days ago, attorneys for the defense, among other things, cited the fact that there were no Negroes on the jury which convicted the original nine youths who were accused of criminal assault upon two white girls.

While we think that every point raised by the defense in asking the United States Supreme court to set the Alabama verdict of death against the youths was good and proper, yet we also think that possibly the strongest point which was raised was that which cited the fact that there were no Negroes on the jury. The court of the last resort in the land was told that this was not an ordinary case, that the lives of nine persons were at stake, that the white jury might have been or at least some of its members could have been in sympathy with the mob spirit which dominated the court during this trial. If there ever was a time when Negroes had a right to expect a jury of their peers, it, undoubtedly, was this time. We are glad that these points were emphasized before the United States Supreme court. Because of our condition in the United States, we feel perfectly justified in saying that it is next door to impossible to get a jury of twelve white men who are free from race prejudice enough to give the Negro a fair trial, especially if one of the litigants is of the white race. Therefore, it ought to be a universal principle in courts of justice to give every defendant the right to have members of his race on a jury, particularly where life and death are at stake.

JURIES

are said to be circulating in the draw for juries eligible for jury service under reason it is seldom that a colored man is drawn on a jury in Virginia. Occasionally one is

Biased Selection Of Jury Cancels Guilty Verdict

Courier 12-10-32
Parkersburg, W. Va.

Judge Kahle's decision, which promises to have a far reaching effect in other cases where Negroes

BLUEFIELD, W. Va., Dec. 8.—are excluded from local juries, came because the names of Negroes were only after six years of determined effort on the part of Attorney Redmond to secure Negro representation on the juries of the county. That indicted Gracie Royster, Special Judge James S. Kahle annulled the indictment here last week upon the facts that 10,000 of the county are Negroes who are eligible for jury service, and that being testimony of E. H. Witten, jury commissioner, and G. P. Hilton, for-citizens of the county, it is unlawful to exclude their names from the panel from which juries are selected. Incidentally, no colored person has been called for jury service in the history of Mercer county.

The woman was charged with maiming Octavia Tynes in a recent fight between the two.

Juries-1932

2 Negroes on Jury That Convicted White Man of Second Degree Murder

KANSAS CITY, Kas.—James Scott, 2503 North Fifth street and John Bright, 2211 North Fifth street served on the jury which Monday, Jan. 11, returned a verdict of second degree murder against Dayton Thomas (white) charged with the murder of John McNally, also white, February 22, 1931, in Judge Clyde Glandon's district court.

This case was one of the most sensational since the Mendenhall murder case in 1929. So much was the interest in the trial that the jurors were locked up until the end of the proceedings, an unusual situation in Wyandotte county where jurors are allowed to go home each night, regardless of the nature of the case.

Mr. Scott is employed by a Transfer company and Mr. Bright is a meat cutter at Armour's packing plant.

First Negro Jurors Indicted Jeff Davis

JACKSON, Miss.—Edgar S. Wilson, special writer on the Jackson (Miss.) Daily News, claims to be in possession of a picture of the first jury in the United States on which Negroes served. Coincidentally, the Negro jurors were part of a mixed Grand Jury which indicted Jefferson Davis, rebel president of the so-called Confederate States, in the Federal Court at Richmond, Va., on a charge of treason, May 8, 1866.

The government later ordered the indictment nolle prossed, and Davis was allowed to go free after a little more than a year in prison at Fortress Monroe.

Has Picture Of First

Jury Of Negroes

RICHMOND, Va.—Announcement that a newspaper man in Mississippi had a picture of the first jury in the United States on which Negroes served, has brought forth the information that a copy of the picture is in the possession of William H. Walton, Well-known business man here.

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ed Jefferson Davis, president of the Federal Court here on May 8, 1866, on a charge of treason.

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Mr. Walton has a rare collection of pictures and objects of historical and artistic interest. He is the Richmond advertising representative for the Journal and Guide.

Edgar S. Wilson, white, of Jackson (Miss.) Daily News, is the owner of the other copy of the picture already referred to.

DALLAS, TEX.
NEWS

APR 2 9 1932

EXCLUSION OF NEGRO FROM JURY GETS NEW VENIRE

HOUSTON, Texas (ANP)—An entirely new list of veniremen for trials in Harris county was ordered Tuesday after it was disclosed in the trial of Johnny Williams, charged with the slaying of H. H. Bennett, white, that discrimination had been shown in the calling of the jury when Quinton Wright, attorney for Williams, asked Judge Whit Boyd to quash the venire on the ground that the names of Negro tax-payers were not placed in the jury wheel.

Wright made two declarations: that all grand jury commissioners were white, and that the names of Negroes were intentionally left out of the jury wheel because of their race, and that a large percentage of the county's population is Negro. Judge Boyd asked Wright for evidence to support his charges of racial prejudice, and Wright called A. J. Schweikart, chief deputy civil district clerk, who testified that he excluded Negroes, but that occasionally their names slipped in through accident. Schweikart testified that civil district court judges had told him not to include Negroes' names because they never

were taken on juries.

E. T. Branch, assistant district attorney, pointed out that exclusion of Negroes was a violation of the Fourteenth Amendment to the Constitution, and Judge Boyd quashed the venire for the Williams trial. Judge Boyd consulted with Criminal District Judge Langston King and a meeting of all district judges was called at which it was decided that all names in the present jury wheel should be thrown out and a new wheel filled. It was estimated that it will take four days to call the 7,500 names of prospective jurors and another week to notify them.

HOUSTON, TEX
PRESS

APR 2 8 1932

LARGER JURY WHEEL SOUGHT FOR REFILLING

New One Necessary Before
List May Be Used
Once More

Harris County's jury wheel was emptied Thursday in Civil District Clerk DuClos' office and work preparatory its refilling begun.

An order for the emptying and refilling of the wheel, signed by all the civil and criminal district judges, was filed with Mr. DuClos Wednesday.

The judges met Wednesday afternoon and signed the order.

A larger wheel had to be ordered as the old one is too small to take care of the larger volume of names.

The name of every person legally qualified to serve on a jury in the county will be placed in the wheel, Judge Whit Boyd said.

The order provides that the wheel "shall be refilled according to law."

The law, Assistant District Attorney Branch pointed out Wednesday, says that the names of all men who are qualified to be jurors shall be placed in the wheel.

The law would not allow the names of only 7500 persons to be placed in the wheel, Branch said, but provides that when the wheel is refilled it must be filled with the names of all qualified jurors. The names to be put into the wheel will

include those of negro men who paid poll taxes.

The order provides that Sheriff Binford, Tax Assessor Witt, County Clerk Townsend and Tax Collector

Hall shall be served with a copy of the order, and that each of them or their deputies shall be present when the wheel is refilled.

"We started today," said A. J. Schweikart, chief deputy in Clerk DuClos' office. The order says that the names shall be taken from the tax assessor's rolls. They are in good shape and we can run right down them. I mean by good shape, they are typewritten and legible.

We had to get a new wheel, for the old one was almost too small to take care of the 40,000 names we put in it. We took all those names out and burned the cards this morning. We asked County Auditor Washburn to order us a new wheel with an 80,000-name capacity.

"We are using 11 clerks from the various offices in the work and expect to get through by the first of next week. We were held up a while this morning in order to be sure we were using the right rolls. We started out to use the 1931 here.

The colored jurors were part of 1930 rolls as names as of August 1, 1931, had to be in the wheel. The Jefferson Davis, president of the 1931 rolls were approved the other so-called Confederate States, in the day and if we had used them we would have placed names in the wheel that shouldn't have been there."

Five clerks from Mr. DuClos' office, three from Tax Collector Hall, one from County Clerk Townsend, one from Tax Assessor Witt and one from Sheriff Binford are being used in the work.

Old Venire Used

In the meantime the old venire called to serve in Civil Court has been retained and where lawyers agree to use them cases are being tried. Those who refuse have had their cases postponed.

Also the prospective jurors called for next week will have to report as ordered, the judges said. They may be excused, but if lawyers agree to use them, cases will be tried.

Panel Quashed

Judge Whit Boyd Monday quashed a jury venire panel called for trial of Johnny Williams, negro, for murder of H. L. Bennett November 16.

The venire was quashed—dismissed—after Defense Attorney Quinton Wright developed through testimony of Deputy Clerk Schweikart, that the jury wheel from which the names of the venire were taken was filled illegally last August. Schweikart testified that he left out of the wheel the names of negroes, and that members of the

sheriff's, tax collector's, tax assessor's and county clerk's offices were not present at the time the wheel was being filled.

Negroes Included

A judges' meeting was held Monday in Judge Ashe's courtroom, and it was decided that the names of negro qualified jurors had to be placed in the wheel.

Criminal Courts Building attaches agreed Thursday that refilling the wheel did not mean that negroes whose names are drawn on jury panels would serve. They pointed out that in the past, when negroes names were placed by mistake on jury panels and appeared in court, they were excused each time by attorneys.

Has Picture Of First Jury Using Negroes In U. S.

RICHMOND, Va.—Announcement that a newspaper man in Mississippi had a picture of the first jury in the United States on which Negroes served, has brought forth the information that a copy of the picture while this morning in order to be in the possession of William H. Walton, well-known business man

The colored jurors were part of a mixed grand jury which indicted Jefferson Davis, president of the so-called Confederate States, in the Federal Court here on May 8, 1866, on a charge of treason.

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DALLAS, TEX

NEWS

APR 2 9 1932

Negroes Called, Yes, but Never Serve on Juries

Action of a Harris County Judge this week in ordering a new list of veniremen because names of negro taxpayers were held out of the jury wheel could not happen in Dallas County, because the local wheel is

filled with names of taxpayers drawn from the rolls, regardless of color lines.

Every August approximately 60,000 names are taken from the tax roll and placed in the wheel. Each week lists are drawn for the central jury room and those drawn are summoned to appear for service.

George W. Harwood, jury paymaster, said from one to five negroes appear in the jury room panel every Monday, but they are always excused from service. Only in rare cases do the negroes insist on serving on juries.

The last negro to insist on serving was one whose name was drawn several months ago. Despite warnings, he stood his ground and said he was going to serve. Other veniremen gathered in clusters about the courthouse corridor and after several hours he departed.

There is no law for women to serve on Texas juries, but their names are placed in the wheel oftentimes by mistake. They are always excused, however, and never serve.

The question came up in Houston Tuesday when an attorney for a negro charged with murder claimed discrimination was shown in filling the wheel, that the names of negro taxpayers were not placed in the jury wheel, that the names of negro taxpayers were not placed in the jury wheel, that the names of negro taxpayers were not placed in the jury wheel. This was pointed out as a violation of the Fourteenth Amendment and the venire was quashed.

HOUSTON, TEX

CHRONICLE

APR 28 1932

JURY WHEEL IS EMPTIED; NEW ONE ORDERED

Names of All Qualified Voters in County Ordered by Judges to Be Placed in Larger Wheel.

The jury wheel in District Clerk O. M. Duclos' office was emptied of its contents Thursday morning, after it had been declared by Harris County's seven district judges to have been illegally filled last August, and eight clerks under Duclos' chief deputy, A. J. Schweikart, began the task of typing the names of all qualified jurors on cards with which to refill the wheel.

In anticipation of a larger number of names to go in the wheel, Duclos ordered a new wheel twice the size of the old one Thursday.

Mr. Schweikart stated that it

would take about five days to copy names of all the qualified jurors in the county.

The seven district judges met in the office of District Judge Ewing Boyd late Wednesday and signed an order declaring the wheel illegally filled and ordering that it be emptied and refilled "according to law."

The order was signed by District Judges Charles E. Ashe, Ewing Boyd, Ben F. Wilson, Roy F. Campbell, Allen B. Hannay, Whit Boyd and Langston King.

The order also instructed the sheriff to serve a copy on the district clerk, J. W. Hall, tax collector, F. W. Witt, tax assessor, Albert Townsend, county clerk, to meet at the court house and select the list of qualified jurors from the tax rolls in the tax assessor's office.

Early Thursday morning the opening of the wheel was unlocked by Duclos and the names removed and thrown in a trash can. He and Schweikart then began a canvas of the various departments in the court house in order to borrow clerks to copy the voters' names.

The clerks are copying names of all qualified male voters on the rendered and unrendered rolls in the tax assessor's office as well as those on the poll tax lists so as not to miss any names. Previously the names were copied from the lists in the tax collector's office, which was found not to conform with the law.

The judges also held that the tax collector, tax assessor, county clerk, district clerk and sheriff, or one of each of the officials' deputies, must be present when the wheel is filled. Before this only the district clerk and a deputy sheriff were present when the names were put in the wheel.

The fact that the present juries now being used at the civil courts building were drawn from an illegally filled wheel did not halt any of the trials going on there Wednesday of Thursday.

"The present juries can and are being used, and will only be thrown out if the lawyers raise the question and challenge the juries," Schweikart said, "and none of them are doing that. We have enough jurors now to last a month yet."

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Negroes Found Omitted.

It was discovered that the wheel was being illegally filled when Judge Whit Boyd, trying a murder case, was shown that the names of negroes were being intentionally omitted from the wheel, contrary to law.

When the case of Johnny Williams, negro, charged with murder, came up for trial in Judge Boyd's court, the negro's attorney, Quinton Wright, asked that the jury panel be quashed on the ground that officials had discriminated against negroes in filling the wheel.

Schweikart was put on the witness stand by Wright to prove his claim. Schweikart testified that negroes were left out where it was known that they were negroes, and that sometimes he was alone when the jury wheel was filled.

Negroes Left Out

The action of a Texas court in throwing out a jury wheel selection because there were no negroes in it and because it was testified by an official that negroes got into the panel only by accident is likely to be of increasing significance in this State. There is no sort of doubt as to the law on the case. A negro has as much right to demand negroes on the jury as a white man has to demand white men. We fought a war over that issue, among other issues, and lost the war.

As long as the South continues to be what it is, a negro jury determining the fate of a white man or white woman is not a reasonably probable prospect. But while it is not the right of an individual negro to be a member of a jury, it is undoubtedly the right of a negro defendant, according to the Constitution of the United States, to be tried by a jury chosen under conditions without prejudice by the processes of the law toward negroes as negroes.

Our treatment of criminal case juries is so inhuman that a mixed jury of whites and blacks would be highly unpleasant to both races and friction so invited would be hostile to a spirit of agreement. But the problem is there and it is one which every convicted negro defendant can take advantage of. In the end the South is going to have to give the negro equal justice before the courthouse. Admission that he sometimes doesn't get it now need not go any farther than to say that the white man goes unwhipped of justice oftener than the black man does. But usually that is because the white man averages a trifle richer than the negro.

EXCLUSION OF NEGROES FROM JURIES
Aside from the publicity given to the deliberate exclusion of Negroes from juries in Harris County, what will our group get out of the public admission that the officials have illegally and deliberately excluded Negroes from the petit jury panel? Though it is doubtful whether Negroes will be permitted to serve on the petit juries in this country as a result of last week's ruling, still last week's ruling, first by Judge Whit Boyd and then by the seven district judges in body assembled, worked a substantial advance in the fight for recognition of the rights of Negroes to sit on petit juries.

Obviously, Negroes must first get in the panel before they can be selected for any particular petit jury—a petit jury is the jury which we see in the court room during trials and it usually consists of twelve men who listen to the evidence and render verdicts in cases. Heretofore, Negroes' names have been kept out of the panel of petit juries. Now their names will be in the panels the same as other men's. Our jim-crow system will offer real inconvenience to using juries of mixed races, but not more than the inconvenience of using (mixed sexes), women and men on juries.

The real barrier will be a prejudice, which may cause the officials to refuse to try to work out the problems of inconvenience, and to take the meaner method of eliminating Negroes by subterfuge, even after they are in the panel. But whether this is done or not, we are in a position where we can eventually get Negroes on a petit jury. Negroes usually serve on Harris County grand juries.

The fight waged in Texas against exclusion of Negroes from grand juries, aided materially in influencing the decision that it was illegal to exclude Negroes from the petit jury panel. The

Texas courts held originally that exclusion of Negroes from the grand jury panel did not violate an accused Negro's rights under the Fourteenth Amendment. But the Supreme Court of the United States reversed the Texas court and held that it did violate the accused's rights.

Since then, that question has been uniformly answered in the affirmative by our Criminal Court of Appeals. In principal, there is little difference in the exclusion of Negroes from a grand jury panel and a petit jury panel, if exclusion is in each case based on color. Lawyer Tom Branch, who was prosecuting in the Williams case last week, had taken part in the legal war over the illegal exclusion of Negroes from the grand jury panels, which was waged in Texas from 1895 to 1906. He knew the law—and he put it to his everlasting credit—he was honest enough to admit it to the court.

Judge Boyd has been unusually severe in the sentences he has meted out to Negroes. So far as Negroes are concerned, it has often been feared that his ideas of punishment would make the court an instrument of revenge rather than a tribunal of justice. It is a quirk of fate that the man, whom Negroes have believed had least genuine sympathy for them, by one ruling has advanced their rights further than all of the other criminal judges have advanced them in twenty years.

No Colored; Texas

Jury Quashed

HOUSTON, Texas.—Ruling that because there were no colored on the jury sitting in the case of John Williams, charged with murder, Judge Whit Boyd quashed the entire jury panel last Tuesday. The sheriff declared, under questioning, that the civil judges had told him colored persons would be excused if they were slated on jury panels, and that it would be a waste of time for the sheriff to list them in the jury wheel.

Jurors—1932
NEW YORK TIMES

JUL 1 2 1932

NEGROES AS JURORS.

In a Maryland county court a Negro was convicted of murder in the first degree and sentenced to death. The State Court of Appeals has granted him a new trial on the ground that the practice in that county for the last twenty-six years of excluding Negroes from juries is unconstitutional. The county judge selects the panels. He seems to have done his duty with great care and conscientiousness, at least in so far as white jurors are concerned. He has sought competent and good men. They must be registered taxpayers. Investigation must show that they pay their debts, are honest, of good habits, of good reputation in the place where they live. He denies prejudice against any race or sect. Still, it is somewhat singular that in a county containing some 10,000 Negroes his eye never fell upon an honest, sober, reputable and taxpaying Negro.

The Court of Appeals followed decisions of the Supreme Court that a custom of exclusion covering a number of years is equivalent to exclusion by statute. Whether the Legislature, the Executive or the Judiciary is the agent in denying to a citizen the equal protection of the laws, the act is the State's and a violation of the Fourteenth Amendment. A Negro cannot claim as a right that his race be represented on the jury that tries him, but, if all Negroes are shut out by law or practice from the jury box, the Fourteenth Amendment steps in to protect his rights. The same is true, of course, if the exclusion is from the grand jury which returns the indictment.

The decision has made no little stir in Maryland. Other counties are looking into their court usages in the matter. In Baltimore City, says its Sun, "the judges select the 'grand jurors, and the custom is to 'have at least one Negro' among them. Petit jury panels are 'drawn 'from a wheel containing a list of 'qualified jurors.' Doubtless from a curious whimsy of that wheel, no Negro has been a jurymen in Baltimore in the last eight or ten years.

ROCKY MOUNT, N. C.
TELEGRAM

JUL 1 6 1932

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COLUMBIA, S. C.
STATE

JUL 9 1932

Maryland Disturbed by Court's Decision Regarding Negroes and Juries.

A decision by the Maryland court of appeals, granting a new trial to a Negro under sentence of death for murder because selection of the jury that heard the case was marked by "unconstitutional exclusion of Negroes," has created some agitation in that state.

Commenting on the decision the Baltimore Sun says:

The city as well as the counties will be forced to take cognizance of the decision of the court of appeals ordering a new trial in the case of Euel Lee, Negro, convicted at Towson of murder in the first degree, and sentenced to death, for the killing of an Eastern Shore farmer. The decision was based on exclusion of Negroes from the jury.

There is no law that excludes Negroes from juries in the state but the practice has been in Baltimore county during the past twenty-six years to do so. The court of appeals declared that the defendant was denied his constitutional rights under such procedure. It cites in support of its opinion decisions of the United States supreme court to the effect that an established practice in the matter, extending over a term of years, is tantamount to exclusion as deliberate as if it were due to statutory law.

The selection of juries in Baltimore city is governed by the charter. The judges of the supreme bench are charged with the duty of selecting "fairly and impartially and by the exercise of their best judgment the names of 750 persons, or thereabouts, qualified under the laws of this state to be grand and petit jurors." They may call upon the city collector to furnish them with a certified list of as many taxable male inhabitants as they desire. The judges select the grand jurors and the custom is to have at least one Negro on it. The names of members of the petit jury panels are drawn from a wheel containing the list of qualified jurors.

Judge Duncan of the county court, who has selected the panels from which jurors are drawn for twenty-six years, explained his system to the court.

"A witness on the stand," he said,

"may impress me favorably; I may meet some one at some social gathering or some church gathering; I consider whether the practice of making a memorandum of him. I go to the tax books and the registered voters' list to see if he is there, and the next step is to inquire from people in the community in which he lives whether he is a good man, whether he pays his debts, is honest, sober and if he is thought well of in his community. These are the only qualifications I am looking for, and that is the way the jury is selected."

Further elucidating the system, Judge Duncan said he selected men who, in his judgment were "good men" and who were "vouched for." Race or sect did not enter into his consideration, he declared. He proceeded, he said, "about on the same line as the president of the United States proceeds in the selection of his cabinet; so as to get competent men to perform the work required."

Granting high character and sound judgment of the individual drawing the panels, that appears to be a fine system for getting worthy petit jurors. Imagine having such requirements in all the counties in all the states. He must first be a registered taxpayer; then, unknown to him, he is investigated. Does he pay his debts? Is he honest, sober and of good reputation in his community? Judge Duncan declares he must meet those requirements, otherwise his name does not go upon the list.

But the court of appeals holds that the fact that a county having 10,000 Negroes in a total population of upwards of 110,000 has not had a Negro's name put into the jury box for eight or ten years, "shows an established practice or system, in which no opening is left for members of the Negro race to obtain places on the jury," and is therefore an "unconstitutional exclusion of Negroes."

Other counties in Maryland will doubtless go into a huddle over the decision. The Sun whose "information" is that no Negro has sat on a

jury in Baltimore for eight or ten years remarks: "It might be well to consider whether the practice of selecting juries in Baltimore city conforms to this ruling."

EASILY MET

The increase which, it is stated, will be made in the number of Negroes on the eligible list of jurors in Baltimore would seem to meet the criticism that was made in the Euel Lee case and which caused the Court of Appeals to direct a new trial.

The methods under which the jury list is compiled enable the selection of Negroes who are taxpayers and who are good citizens. These lists are not made up haphazardly, but are chosen with reasonable care to see that they are composed of reputable members of the community. The plan would seem to bar selection of Negroes who could not be expected to perform satisfactory jury services. There would continue to be a large numerical preponderance of whites on the lists from which petit jurors are drawn by lot, since white taxpaying males largely outnumber taxpaying Negroes. By the simple procedure proposed, the views of the court would be met without apparent reason to anticipate any untoward consequences.

It is to be noted that a jury clerk says that there are now a hundred Negroes on the eligible lists. But in view of the fact that in six years none has been drawn to serve, continuance of so consistent a run of whites in the drawing of names from a wheel might impress the Court of Appeals as being due to something else than chance. It is important to obviate such a risk.

NEGROES ON JURIES
Journal and Guide
 WHEN the Fall breaks, the internationally known cases of Euel Lee and the Scottsboro boys will again come before judicial tribunals, ordered to new trial by higher courts. During these Summer months, however, the rank and file of the race must be as vigilant and as interested as the lawyers who will defend the men who have been granted a new chance for life. It will take money to wage the coming court campaigns and it will take an enlightened public opinion—and both of these we must be prepared to secure. *Norfolk, Va.*

After we have given our money, then we must unceasingly dramatize the two cases which have been so far travesties on justice. We must make Maryland and Alabama ashamed of themselves to the extent that justice will come to both the victims of Scottsboro and the aged farm-hand of the Eastern Shore.

Co-equal with the new trial of Lee and the hopes for his ultimate acquittal, however, ranks the significance of the verdict reached by the Maryland Court of Appeals. Indeed, in the long term view, the decision of the high court may be even more beneficial and important than even a single life.

The court granted a new trial for Lee, it will be remembered, on the grounds that since the trial judge had for 26 years selected men to sit on juries and had never selected any colored men, there was prima facie evidence that Negroes had been excluded unconstitutionally, and that there was "an established practice or system in which no opening is left for members of the Negro race to obtain places on the jury."

This Maryland decree, coupled with a recent order in Harris County, Texas, by which an entire new list of veniremen was authorized after it had been shown that there had been discrimination in the calling of the jury, are two indications of the way in which the wind is blowing and underwrite the years of agitation and petition on the part of Negroes who have held that both their constitutional rights and common decency have been violated by practices which compelled them to be tried by a jury supposedly of their peers, but on which otherwise capable men were barred on account of race and color. Of course, these violations will not stop overnight; courts will still continue, as in Norfolk, to absolve themselves of all irregularities when they put the names of Negroes on their lists even though they never intend to allow any colored man to occupy the jury panel.

These breaches of absolute justice may be opposed and fought with greater force, however, when it is known how the high courts feel about the question.

Another significant fact about the Scottsboro and Lee cases is that the faith of the people in the higher courts is increased as they have it impressed on them that justice and equity have not been buried and forgotten. Even the Communist International Labor Defense with its cries of "boss" courts and "capitalism" have found that, for the present, at least, it is the path of wisdom to appeal to the regularly established tribunals rather than to invoke justice by some more revolutionary and less orderly method.

History is in the making around the boys of Scottsboro and the 60-year-old man of Maryland. To keep informed, to recognize the intrinsic value of court decisions and new interpretations, to dramatize the wrong while giving the money that even a fight for right demands, and to think clearly, is our sacred duty.

NEGROES SERVE ON U.S. JURY AFTER HIATUS

Four Negroes were drawn on the petit jury to serve in the United States District Court for the Southern District of Texas, sitting at Houston. Three of them were selected and served in the case of Adge Robertson vs. the United States of America, a case involving a war risk insurance policy.

It is many years since a Negro served on a case in the United States District Court here. The Negroes selected in the case were R. L. Andrews, A. Richard and John Codwell. The case was not finished because the judge was prevented by unavoidable circumstances from returning to the bench after he left the court room Tuesday at noon.

The four men on the jury panel worthy representatives of Negroes, R. L. Andrews, an old timer is an experienced business man, a church member of high rank and one of the wealthiest Negroes in Houston. A. Richards owns and operates a garage on West Dallas, and is another old timer.

DALLAS, TEX.

NEWS
JUL 18 1932

What the Exchanges Say

Negroes as Jurors.

New York Times: In a Maryland county court a negro was convicted of murder in the first degree and sentenced to death. The State Court of Appeals has granted him a new trial on the ground that the practice in that county for the last twenty-six years of excluding negroes from juries is unconstitutional. The County Judge selects the panels. He seems to have done his duty with great care and conscientiousness, at least in so far as white jurors are concerned. He has sought competent and good men. They must be registered taxpayers. Investigation must show that they pay their debts, are honest, of good habits, of good reputation in the place where they live. He denies prejudice against any race or sect. Still, it is somewhat singular that in a county containing some 10,000 negroes his eye never fell upon an honest, sober, reputable and taxpaying negro.

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ber of years is equivalent to exclusion by statute. Whether the Legislature, the executive or the judiciary is the agent in denying to a citizen the equal protection of the laws, the act is the state's and a violation of the fourteenth amendment. A negro cannot claim as a right that his race be represented on the jury that tries him; but, if all negroes are shut out by law or practice from the jury box, the fourteenth amendment steps in to protect his rights. The same is true, of course, if the exclusion is from the grand jury which returns the indictment.

NEGROES CALLED FOR JURY SERVICE REMAIN FOR DUTY

It was learned yesterday that ten or twenty Negroes were called for petit jury duty in the 61st District Court. The Negroes were told that more people were called for service than could be used anyway, and that they might be called if they liked.

However, about seven Negroes remained and all of them served on the morning cases. They were I. L. Williams, who operates the Hotel Williams, Charles Davis, J. H. Carter of 2407 Dowling, Henry Harris, G. (Duke) Crawford, and William Delane. After serving throughout the morning, they were ordered to report back at 2 o'clock, showing that the service of all had evidently been acceptable.

FORT DODGE, IA.
MESSENGER & CHRONICLE

JUL 22 1932

Negroes As Jurors

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The decision has made no little stir in Maryland. Other counties are looking into their court usages in the matter. In Baltimore City, says its Sun, "the judges select the grand jurors, and the custom is to have at least one negro" among them. Petit jury panels are "drawn from a wheel containing a list of qualified jurors. Doubtless from a curious whimsy of that wheel, no negro has been a jurymen in Baltimore in the last eight or ten years."

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Jurics - 1932

Chicago Defender Other Papers Say—

5-14-32
NEGROES LEFT OUT
[Dallas (Tex.) Morning News]

The action of a Texas court in throwing out a jury selection because there were no Negroes in it and because it was testified by an official that Negroes got into the panel only by accident is likely to be of increasing significance in this state. There is no sort of doubt as to the law on the case. A Negro has as much right to demand Negroes on the jury as a white man has to demand white men. We fought a war over that issue, among other issues, and lost the war.

As long as the South continues to be what it is, a Negro jury determining the fate of a white man or white woman is not a reasonably probable prospect. But while it is not the right of an individual Negro to be a member of a jury, it is undoubtedly the right of a Negro defendant, according to the Constitution of the United States, to be tried by a jury chosen under conditions without prejudice by the processes of the law toward Negroes as Negroes.

Our treatment of criminal case juries is so inhuman that a mixed jury of whites and blacks would be highly unpleasant to both races and friction so invited would be hostile to a spirit of agreement. But the problem is there and it is one which every convicted Negro defendant can take advantage of—and probably will take advantage of. In the end the South is going to have to give the Negro equal justice at the courthouse. Admission that he sometimes doesn't get it now need not go any farther than to say that the white man goes unwhipped of justice oftener than the black man does. But usually that is because the white man averages a trifle richer than the Negro.

NEGRO JURORS, NO EARTHQUAKE YET

Monday, four Negroes served on a petit jury, consisting of six men, in Justice Ray's court. Justice Ray said it was the first time Negroes had served in his court in his sixteen years. Old timers around the court house say this is the first time Negroes have served on a petit jury in Harris County since reconstruction days.

Psychologists tell us that our greatest worries are over anticipated troubles. As soon as it became clear that Negroes would have to be included in the Harris County petit jury panel, the many white men who let fear of Negroes ruin their life, began to picture the calamities that would transpire if Negroes and whites were put on a petit jury together.

Then one day while these Jeremiads were still ringing in our ears, the sheriff was given a subpoena and told to "bring in a good jury." He brought in four Negroes and two whites. The lawyers accepted them, tried their case, argued it and received the verdict. And lo! Negroes had served on a petit jury and nothing had happened to justice, to "white su-

premacy" or to "social inequality!" But the machinery of justice had been rid of a vicious injustice.

The Informer doesn't care how few or how many Negroes serve on petit juries, as long as their failure to serve isn't due to deliberate exclusion because of color. Negroes only want to be ordinary citizens and must fight being treated as below ordinary. They won a victory that cannot be taken from them, not so much in the mere getting on the petit jury as in having fit in so easily and officially.

**4 ON JURY WHICH \$35,000
GIVES VERDICT AWARDED
FOR \$35,354.60 IN KANSAS
LAW SUIT**

KANSAS CITY, Kansas.—Four Negroes were members of the jury which returned a verdict for \$35,354.60 in favor of Charles E. Leinbach; wealthy white merchant of this city, against the Pickwick Greyhound Bus lines, here Tuesday.

The verdict brought to an end an action which began in 1930, Leinbach having named the bus company and Orville L. Thompson, a driver, in a suit for \$62,000 as result of a collision between his car and the bus, resulting in the death of his wife. The other persons, Mr. and Mrs. William Stickel, were also killed by the same bus on the same afternoon, as it passed through Lawrence. The case had been previously tried, a jury returning a verdict in favor of awarding the full amount of damages asked. This verdict was later set aside by the State Supreme Court as excessive. It is said that in the previous trial six Negroes sat on the jury.

KANSAS CITY, Kan.—July 7.—(ANP) — The long legal battle between Charles E. Leinbach (white), wealthy paint and varnish dealer of this city, and the Pickwick Greyhound Lines, Inc., came to an end here Tuesday afternoon in District court, division three, with Judge William H. McCamish, presiding.

The case began back in 1930, having been instituted by Leinbach against the defendants, the Pickwick Greyhound Lines, Inc., and Orville L. Thompson, an employee, for the sum of sixty-two thousand dollars. On July 13, 1930, while driving through Lawrence, Kansas, Orville L. Thompson, who had charge of one of the big busses of the Pickwick Greyhound Lines, ran into a car owned and occupied by Leinbach and his wife, Erma S. Leinbach, who was killed. Two other persons, Arthur and Mrs. William E. Stickel, were also killed by the same bus, manned by Orville L. Thompson, on passing through Lawrence that Sunday afternoon at 5:30 o'clock. The case had been previously tried, a jury having returned a verdict for the entire amount asked. This verdict was later set aside by the Supreme Court, which held that the sum was "excessive."

The case was brought to an end Tuesday afternoon, after nine or ten days of stiff, legal maneuvering with a verdict of \$35,354.60. Four Negroes were on the jury which

rendered the verdict. Bishop J. A. Hamlett, Mrs. Marion Sterman, Messrs. Luther Mason and Daniel Davidson. The jury deliberated almost six hours. Leinbach, the plaintiff, was represented by Edward M. Boddington, J. O. Emmerson (white) and that firm of famous Kansas lawyers.

Due to the prominence of the character in the case and the large sum asked in the suit, the case attracted great attention throughout the southwest. It is said that on previous trial, six Negroes were on the jury which awarded the \$62,000 originally asked.

ROME, N. Y.
SENTINEL

JUL 8 - 1932

Negroes and Jury Duty.

By unanimous decision the Maryland Court of Appeals has granted a new trial to a Negro convicted of murder on the grounds that the county in which he was tried has regularly kept Negroes out of the jury box. The opinion recites that the "evidence, with the long unbroken absence of Negroes from the juries selected, seems to show an established practice, confining selections to white men as effectually as if such a restriction were prescribed by statute." The court found that in twenty-six years there had not been a Negro in the panel of Baltimore County Court juries. This, it declared, "amounts to exclusion in the constitutional sense." Maryland, back in slavery days, had the reputation of being about the most tolerant of the slave states and there were nearly or quite as many free Negroes as slaves when hostilities broke out between the states. Despite the attack of the Baltimore mob upon the first troops sent for the defense of Washington, Maryland was saved from secession and afterwards stood firmly for the Union. Its slaves were not freed by President Lincoln's emancipation proclamation but by state action.

Thus the illegal barring of Negroes from the polls or from juries seems hardly in keeping with the history of the state in the last century. Yet the fact that the Maryland Court of Appeals has rendered a unanimous decision now the practice of Baltimore County has been called to its attention, restores our

Color Bar on Jury New Trial Grounds

Maryland Court of Appeals Reverses Decision of Lower Court Judge Who Tried Orphan Jones Case

BALTIMORE, July 11 (ANP).—The practice of excluding Negroes from juries in Southern states and in some states of the North and West was dealt a smashing blow last week in an opinion handed down by the Court of Appeals of Maryland in which the conviction for murder of Euel Lee, alias Orphan Jones, was reversed and a new trial ordered on the grounds that the trial judge erred in excluding Negroes from the jury which tried Jones.

Challenge of the courts which exclude Negroes from jury service has been one of the principal weapons used by lawyers for the International Labor Defense in their defense of Negroes in Southern states. One of the points taken up to the State Supreme Court of Alabama in reference to the Scottsboro case was the fact that Negroes were excluded from the jury.

Cites Supreme Court.

The Appeals Court called attention to U. S. Supreme Court rulings. "The Supreme Court," it said, "in a case on a somewhat similar objection, has said, 'the showing thus made, including as it did the fact (so generally known that the court felt obligated to take judicial notice of it) that no colored citizen had ever been summoned as a juror in the courts of the state—although its colored population exceeded 20,000 in 1870 and in 1880 exceeded 26,000, in a total population of less than 150,000—presented a prima facie case of denial by the officers charged with the selection of grand and petit jurors of that equality of protection which has been secured by the Constitution and laws of the United States. And a like inference from a long succession of juries of white men entirely was drawn with more emphasis in a case in Florida. 'It would be beyond the ken of the judicial or any other mind to appreciate how a deputy sheriff in a county containing more Negroes than whites could, through a series of eight years in selecting jurors for all the courts of the county, abstain from selecting a single Negro for jury service during all of those years, without unconstitutional discrimination against the members of the race.'"

In its ruling the Appeals Court referred directly to the overruling of the challenge by Judge Duncan, stating: "The overruling of the challenge must be held erroneous and the judgment must, for the error, be reversed and a new trial ordered." Lee was arrested after Green K. Davis, a white farmer, his wife and two daughters had been found murdered in their farm on the Eastern shore.

It was reported that Lee, who had once worked for Davis, had quarreled with his employer and been discharged. Police announced after his arrest that Lee confessed the crime and he was indicted. The International Labor Defense entered the case, and immediately published the charge that Lee, through third degree, had been forced by the police to confess the crime, and that certain evidence had been placed to complete a frame-up against him.

In the uphill fight to provide a defense for Lee the Labor Defense lawyers encountered legal and social obstacles on the Western shore and

were finally successful in winning a change of venue so that the trial could be held in Baltimore county.

On one occasion when Ades and his secretary, a Miss Helen Hayes, sought to appear in behalf of his client at Snow Hill, they were set upon by a mob and beaten twice in one day.

N. Y. SUN

SEP 30 1932 Negroes Demand Place On Supreme Court Bench

Resolutions adopted at a meeting of Negro ministers and professional and business men calling for Negro representation on the Supreme Court bench of New York State, on the city magistrates' bench and in Congress have been sent to Louis A. Lavelle, president of the Harlem Lawyers Association of 200 West 135th street, to Mayor McKee and the leaders of both Republican and Democratic parties. It was announced today at the headquarters of the association.

NEGRO JUROR SERVES AT STRANGLER TRIAL

James C. Young, a musician living at 56 West 135th street, was the Negro member of the jury that heard the case against Jean Martin, a white woman, who was indicted for strangling her friend and roommate, Babe Maynard, to death in the Hotel Richmond last July. The case, which started Friday in Part 4 of General Sessions, came to an abrupt end Monday when the woman changed her plea from not guilty to guilty of manslaughter in the second degree. Judge Levine allowed the plea and announced that he would sentence the woman on October 27.

Euel Lee Helps W. Va.

Mrs. Gracie Royster walked into Mercer County Court in Bluefield, W. Va., last week, charged with a criminal offense. A few hours later she walked out a free woman, without having testified herself, or without the court's passing on her guilt or innocence.

Her lawyer merely put on the stand the present white jury commissioner and a former jury commissioner who swore that the names of colored citizens were stricken from the grand jury panel.

Mrs. Royster's attorney, James S. Redmond, filed a plea of abatement, and the court quashed the indictment.

From now on, names of Negroes will be in the Mercer County grand jury panel, or there can be no legal indictment.

Mr. Redmond undoubtedly got his idea from the Euel Lee case, in Maryland, which gives some idea of how far-reaching will be the effects of this now celebrated case.

Incidentally, those who may have felt that the legal profession offers no opening for careers of high service might be referred to Mr. Redmond.